

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.938 OF 2006

Ashwini @ Soni Mukundlal
Gill Age 25 yrs. r/o Room No.9
Mhatre Chawl, Ambedwadi,
Mith Chowki, Jai Janta Nagar,
Malad (W) Mumbai at present
in Kolhapur Centrl Prison
at Kalamba Kolhapur ..Applicant

Vs.

The State of Maharashtra ..Respondent

.....
Mr.V.V.Purwant Advocate for Applicant
Mrs.M.M.Deshmukh APP for State
.....

CORAM: SMT.V.K.TAHILRAMANI, J.

**DATE : OCTOBER 11, 2006 AT
2.35 P.M. IN CHAMBER**

P.C.

1. Heard Mr.Purwant, the learned advocate for the applicant and Mrs.Deshmukh, the learned A.P.P. for the State.

2. The applicant has been convicted under Section 307 of IPC. The applicant had earlier preferred application for bail which came to be rejected on merits on 3rd October, 2005. The applicant is now seeking bail on the ground that he has been in

custody for a long time and also on the ground that the father of the applicant is ill. He is suffering from "valve prolapse" and other ailment and he requires urgent cardiac surgery. The certificate relating to the ailment of his father inter alia stating that father of the applicant requires urgent cardiac surgery, has been annexed to the application.

3. Mr.Purwant stated that besides the applicant, there is no other male member in his family to look after the father of the applicant. The above two statements i.e. relating to the medical ground and that there is no male member in the family, have not been controverted by the prosecution. It is an admitted fact that except this case, the applicant has a clean record. Looking to the above facts and circumstances, I am inclined to grant temporary bail to the applicant.

4. The applicant-Ashwini @ Soni Mukundlal Gill to be released on temporary bail for a period of six weeks in the sum of Rs.15,000/- (Rs. fifteen thousand only) with one or two sureties to make up

said amount. The period of six weeks shall be computed from the date of release of the applicant on bail. During the period that the applicant is on bail, he shall report to Malad Police Station on every Monday and Thursday. After the expiry of the period of six weeks, the applicant shall surrender back to the jail.

5. Application is disposed of.

[SMT.V.K.TAHILRAMANI, J.]